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13 Attorneys for Defendant  
 14 7-ELEVEN, INC. (improperly named as  
 "7-ELEVEN CORPORATION")

15 **UNITED STATES DISTRICT COURT**

16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

17 **SAN JOSE DIVISION**

18 20 KENNETH B. QUANSAH, JR.,

21 Plaintiff,

22 v.

23 7-ELEVEN STORE #25561 (JAY  
 24 MOUSAVI, SADU SIGH), 7-ELEVEN  
 CORPORATION (JAY MOUSAVI) AND  
 META TECHNOLOGIES, INC. (GARICK /  
 25 GORE), A.K.A.,

26 Defendants.

19 CASE NO. CV 08-01012 JF HRL

20 **[PROPOSED] ORDER GRANTING  
 21 DEFENDANT 7-ELEVEN, INC.'S MOTION  
 22 TO DISMISS OR, IN THE ALTERNATIVE,  
 23 GRANTING SUMMARY JUDGMENT**

24 Hearing Date: September 12, 2008  
 Time: 9:00 a.m.  
 Courtroom: 3, 5th Floor  
 Judge: Hon. Jeremy Fogel

The Motion to Dismiss or, in the Alternative, for Summary Judgment, filed by Defendant 7-ELEVEN, INC., was heard before this Court on September 12, 2008, before the Honorable Jeremy Fogel, United States District Judge, presiding.

Having read all papers submitted therewith and otherwise with respect to said Motion, and good cause appearing therefor, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant's Motion to Dismiss is GRANTED. Alternatively, and additionally IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant's motion for summary judgment is GRANTED.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

By: \_\_\_\_\_

Hon. Jeremy Fogel  
United States District Court  
Northern District of California

4842-1285-1202.1

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## PROOF OF SERVICE

*Kenneth B. Quansah, Jr. v. 7-Eleven Corporation et al.*

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the County of San Francisco, State of California. I am over the age of 18 years and am not a party to the within action; my business address is One Embarcadero Center, Suite 2300, San Francisco, CA 94111.

On July 14, 2008, I served the following document(s) described as INSERT on interested parties in this action by placing a true copy thereof enclosed in sealed envelopes as follows:

**[PROPOSED] ORDER GRANTING DEFENDANT 7-ELEVEN, INC.'S MOTION  
TO DISMISS OR, IN THE ALTERNATIVE, GRANTING SUMMARY  
JUDGMENT**

Kenneth B. Quansah, Jr.  
P.O. Box 51759  
San Jose, CA 95151-5759

**(BY U.S. Mail)** I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit. I deposited such envelope(s) with postage thereon fully prepaid to be placed in the United States Mail at San Francisco, California.

**(By Personal Service)** I delivered by hand on the interested parties in this action by placing the above mentioned document(s) thereof in envelope addressed to the office of the addressee(s) listed above or on attached sheet.

**(By Facsimile)** I served a true and correct copy by facsimile pursuant to C.C.P. 1013(e), calling for agreement and written confirmation of that agreement or court order, to the number(s) listed above or on attached sheet. Said transmission was reported complete and without error.

**(By Overnight Courier)** I served the above referenced document(s) enclosed in a sealed package, for collection and for delivery marked for next day delivery in the ordinary course of business, addressed to the office of the addressee(s) listed above or on attached sheet.

**(By E-Mail)** I transmitted a copy of the foregoing documents(s) via e-mail to the addressee(s).

**(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on July 14, 2008, at San Francisco, California.

Bliss Birchett  
BLISS BIRCHETT